

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-v-

23-MC-

\$153,347.67 SEIZED FROM COMMUNITY
BANK, NA, BANK ACCOUNT, NUMBER
XXXXXXX3036, HELD IN NAME OF XYLON
TECHNICAL CERAMICS, INC. SEIZED ON OR
ABOUT JUNE 13, 2023;

\$33,706.16 SEIZED FROM BANK ON BUFFALO
BANK ACCOUNT, NUMBER XXXXXX1467,
HELD IN NAME OF XYLON TECHNICAL
CERAMICS, INC., ON OR ABOUT JUNE 13,
2023; AND

\$425,903.94 SEIZED FROM CNB BANK, BANK
ACCOUNT, NUMBER XXXXXX4727, HELD IN
NAME OF TAM CERAMICS GROUP OF NY,
LLC, ON OR ABOUT JUNE 13, 2023.

Defendants *in rem*.

**STIPULATION REGARDING PLAINTIFF'S TIME
TO COMMENCE A JUDICIAL FORFEITURE ACTION**

IT IS HEREBY STIPULATED and AGREED, by and between the parties, the United States of America through, Trini E. Ross, United States Attorney for the Western District of New York, by Elizabeth M. Palma, Assistant United States Attorney, of counsel, TAM Ceramics LLC ("TAM") and Xylon Technical Ceramics, Inc. ("Xylon"), and their attorneys, Justin D. Ginter, Esq., as follows:

1. The government does not have a deadline or time period within which the government must commence a judicial forfeiture action against the above-captioned funds

pursuant to Title 18, United States Code, Section 983. Under such circumstances, the government would initiate a judicial forfeiture action 150 days after the date of seizure of the funds, in this case, by November 10, 2023.

2. In lieu of commencing a judicial forfeiture action, the Parties agree that the government may initiate a civil judicial case or include the funds in a forfeiture allegation in a criminal indictment or information on or before January 9, 2024.

Dated: 11/7, 2023

TRINI E. ROSS
United States Attorney
Western District of New York

By: 

Elizabeth M. Palma
Assistant United States Attorney
138 Delaware Ave
Buffalo, New York 14202
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elizabeth.palma@usdoj.gov

Dated: 11/7, 2023

By: 

Justin D. Ginter, Esq.
Lipsitz Green Scime Cambria LLP
Attorney for TAM Ceramics Group of NY, LLC and Xylon Technical Ceramics, Inc.
42 Delaware Ave, Suite 120
Buffalo, New York 14202

Dated: 11/7, 2023

By: 

George H. Bilkey
President
TAM Ceramics Group of NY, LLC